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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 016906/0183

In re patent application of

Oliver BECK et al.

Serial No. 09/121,702

Group Art Unit: 3743

Filed: July 24, 1998

Examiner: J. Ford

For: HEATING OR AIR-CONDITIONING SYSTEM FOR A MOTOR VEHICLE



INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56

RECEIVED

DEC 28 2000

TECHNOLOGY CENTER 3700

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 C.F.R. §1.97-1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

**CONCISE EXPLANATION OF
RELEVANCE OF EACH DOCUMENT**

The foregoing documents came to Applicants' attention during a search of the corresponding European application. A copy of the European Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

Document A1, German 44 42 000, relates to heating and/or air-conditioning installation and is a foreign counterpart to U.S. Patent No. 5,878,806, which was cited by the Examiner in September 1999 on Form PTO-892.

Document A2 relates to a heating/air-conditioning unit that operates according to the mixed-air principle and includes at least one cold air bypass located laterally of the heater.

English translations of Document A1 and A2 are not readily available; however, the absence of such translations does not relieve the PTO from its duty to consider the submitted documents (37 CFR §1.98 and MPEP §609). An English abstract is attached to Document A1.

Applicants wish to inform the Examiner that two of the documents cited in the European Search Report, i.e., DE 39 40 361 and DE 44 22 120, were previously submitted in an Information Disclosure Statement filed on July 24, 1998.

The undersigned hereby states in accordance with 37 C.F.R. §1.97(e)(1) that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Information Disclosure Statement.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with M.P.E.P. §609.

Respectfully submitted,

12/27/00
Date


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